



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Kenichi Higashiyama et al.

Application No.: 09/254,152

Filing Date: February 26, 1999

Title: PROCESS FOR PRODUCING UNSATURATED FATTY ACID-CONTAINING OILS

Group Art Unit: 1617

Examiner: Shengjun Wang

Confirmation No.: 6530

FOURTH  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a FOURTH Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☐ No additional fee for submission of an IDS is required.
- ☒ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \$ 180.00 is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By

  
Susan M. Dadio

Registration No. 40,373

Date: September 23, 2004

09/24/2004-FMTEK11-00000024-09254152

03-FC-1806

180.00 DP

**Inventor Patent Application of**

Group Art Unit: 1617

**Examiner: Shengjun Wang**

**Confirmation No.: 6530**

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**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

## Foreign Patent Documents

International Publication No. WO 92/13086, published on August 6, 1992.

**Non-Patent Documents**

SHINMEN et al., "Production of arachidonic acid by *Mortierella fungi*", Applied Microbiology and Biotechnology, 1989, Vol. 13, pp. 11-16, Springer-Verlag, Berlin, Germany.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

A fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is enclosed.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date September 23, 2004

By: 

Susan M. Dadic

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# **THIRD INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

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**Complete if Known**

|                        |                            |
|------------------------|----------------------------|
| Application Number     | 09/254,152                 |
| Filing Date            | February 26, 1999          |
| First Named Inventor   | Kenichi Higashiyama et al. |
| Examiner Name          | Shengjun Wang              |
| Attorney Docket Number | 001560-344                 |

**U.S. PATENT DOCUMENTS**

| Examiner Initials | Document Number | Kind Code (if known) | Name of Patentee or Applicant of Cited Document | Issue/Publication Date (MM-DD-YYYY) |
|-------------------|-----------------|----------------------|---|-------------------------------------|
|                   |                 |                      |   |                                     |
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**FOREIGN PATENT DOCUMENTS**

| Examiner Initials | Document Number | Kind Code (if known) | Country | Date of Publication (MM-DD-YYYY) | STATUS      |                     |                    |               |      |          |               |
|-------------------|-----------------|----------------------|---------|----------------------------------|-------------|---------------------|--------------------|---------------|------|----------|---------------|
|                   |                 |                      |         |                                  | Translation | Partial Translation | Eng. Lang. Summary | Search Report | IPER | Abstract | Cited in Spec |
|                   | 0 726 321       | A2                   | EP      | 8/14/1996                        |             |                     |                    | X             |      |          |               |
|                   | 0 223 960       | A2                   | EP      | 6/3/1987                         |             |                     |                    | X             |      |          |               |
|                   | 0 276 541       | A2                   | EP      | 8/3/1988                         |             |                     |                    | X             |      |          |               |
|                   | WO 94/28913     |                      | PCT     | 12/22/94                         |             |                     |                    | X             |      |          |               |
|                   | WO 92/13086     |                      | PCT     | 8/6/1992                         |             |                     |                    | X             |      |          |               |
|                   |                 |                      |         |                                  |             |                     |                    |               |      |          |               |
|                   |                 |                      |         |                                  |             |                     |                    |               |      |          |               |
|                   |                 |                      |         |                                  |             |                     |                    |               |      |          |               |
|                   |                 |                      |         |                                  |             |                     |                    |               |      |          |               |

**NON-PATENT LITERATURE DOCUMENTS**

| Examiner Initials | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
|-------------------|---|
|                   | SHINMEN et al., "Production of arachidonic acid by <i>Mortierella</i> fungi", Applied Microbiology and Biotechnology, 1989, Vol. 13, pp. 11-16, Springer-Verlag, Berlin, Germany.   |
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|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.